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THE TIMES, FOUNDED 1838
THE DISPATCH, FOUNDED 1838

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RICHMOND, VA., SUNDAY, AUGUST 28, 1904.

PRICE FIVE CENT S.

MAYBRICK LANDS IN LITIGATION

Question Affecting Their Title Before the U. S. Supreme Court.

CONFLICT OF GRANTS LEADS TO THE SUITS

Henry C. King Takes the Matter to the Higher Tribunal. Interesting Review of the Long Fight Over Vast Tracts of Virginia Lands.

(From Our Regular Correspondent.)
WASHINGTON, D. C., August 27.—The case which is now pending in the Virginia courts, involving the title to thousands of acres of valuable mineral and timber lands in which Mrs. Maybrick is alleged to be interested, is not really a new one. Three years ago a case, entitled S. D. Hatfield vs. Henry C. King, came up from West Virginia to the Supreme Court of the United States on appeal, which involved title to the land now the subject of the suit in which the title to the lands in which Mrs. Maybrick is interested in the old case it has never been really decided. The suit was for the purpose of settling the title to about 600,000 acres of land in McDowell county, in West Virginia, and large tracts in Kentucky and Virginia. The constitutionality of the land laws of West Virginia was also involved. It was further charged that two attorneys had acted improperly in connection with the case and an effort was made to have them disbarred. The case went back to the United States District Court.

The Morris and Clinton Tracts.
One tract of this land, known as the Morris survey, and lying in the three States mentioned, was granted to Robert Morris, of Philadelphia, by the Commonwealth of Virginia, by patent, June 23, 1793. The other tract, embracing 14,000 acres, was granted to De Witt Clinton as assignee of William Duval, February 18, 1793. The latter tract lies entirely within the State of West Virginia. It is said, however, that Morris grant in 1894 the State of West Virginia, under a State law providing for the forfeiture of lands not entered in the land registry or upon which taxes had not been paid for a period of five years, brought suit for the forfeiture of that portion of the Morris tract which lay in the counties of Lincoln, Mingo and Logan. There was a verdict rendered for the State and representatives of the State courts proceeded to sell property in the possession of some 400 individuals and corporations. Suits of ejectment were filed against Robert Morris, of Philadelphia, and his heirs, claiming to have the ownership of the entire tract under conveyances from Robert Morris. The litigation over the land has not ceased from that day. Cases involving title to it have been in the Supreme Court at least three occasions. In the case of King vs. Morris, the Supreme Court, in 1894, decided in favor of the State, but Henry C. King and his associates have found life in the mountains of southwestern West Virginia as strenuous as the most enthusiastic believer in the gospel of strenuousness could wish. Many a one of them, while riding along quiet mountain roads, and possibly speculating on the time when the litigation should be at an end and they would be enjoying the quiet possession of the land on which the hardy mountaineers had reared their hardy sons and daughters, has suddenly heard the spiteful zip of the rifle bullet, and probably more than one has met his death in such fashion, with none to carry home the body in any manner of death, nor the identity of his slayer. Henry King, and his representatives believe this section decidedly the most unhealthy in the entire country.

King has always claimed that there was no forfeiture of the lands. He alleged that a patent granted in 1833 had been obtained by his predecessors, but if this were deemed invalid, he offered to pay the taxes due on the property. This suit was brought in the Chancery Court of the State, but before it was decided King brought suits in the Federal courts to eject the adverse holders of the land. He lost his suit in the lower court, and from the decision took an appeal to the Supreme Court. Pending the appeal it was agreed among the attorneys on both sides that nothing should be done in the chancery suits, or in the proceedings before the commissioner of school lands in Wyoming county. Notwithstanding this, it is alleged that King obtained a report from a commissioner and, without notice to the parties concerned, secured a decree from the Circuit Court of Wyoming county for the redemption of that portion of the three hundred acre tract lying in West Virginia. The decree fixed the boundaries as claim-

ed by King, a large part of the DeWitt Clinton tract and other lands shown by records to be outside the limits of the grant being included. King paid the back taxes on the land, together with interest and costs. He then renewed the proceedings in ejectment against the squatters, so-called. He was at once enjoined from taking any advantage from the decree alleged to have been improperly obtained, and the officials were restrained from paying out any of the money received from King.

It was alleged by the attorney-general of the State, Hon. Edgar Tucker, who defended the cases in the Supreme Court, that the proceedings were of a fictitious character, and that they were begun for the purpose of getting the courts to deliver an opinion which could be used against those in possession of the land. It was asked that Maynard P. Sides, of New York, one of King's attorneys, be disbarred for his alleged action in bringing fictitious actions before the court, and for other alleged unprofessional conduct. This the court refused to order.

Some of those whom King sought to eject claimed unbroken possession of their property for fifty years or longer.

Grants Seem to be Invalid.

The fact should be borne in mind by the reader that when Kentucky was admitted to the Union in 1792 it was agreed that all grants made by the State of Virginia to lands lying in Kentucky should be recognized by the new sovereignty as valid, but that Virginia should not make grants to any more of the territory of Kentucky. It will be observed that the grant to Robert Morris was made in 1793 by Virginia, and the grant made to DeWitt Clinton in 1793. These grants would appear to be clearly invalid, so far as they pretended to grants of lands lying in Kentucky.

The lands involved in the suit in which Mrs. Maybrick is interested originally were included in the grant made to Morris. They lie wholly in Virginia. It is charged that while Mrs. Maybrick was being tried for the murder of her husband she was induced to make deeds to the property, and that she did not really know the character of the documents she was signing. She was in great need of money at the time with which to pay her lawyers.

A great deal of land in the section in which the property in which Mrs. Maybrick is interested is located is involved in litigation, in addition to the counts noted above. The title to thousands, perhaps hundreds of thousands, of acres is clouded, and has been for many years. It will be years yet before the cases involving the titles are decided, so slowly do they drag their length through the courts.

A PAPER ON TOBACCO BY W. GRAY WATSON

(By Associated Press.)
ST. LOUIS, MO., August 27.—World's Fair Grounds. The concluding session of the convention of the American Institute of Bank Clerks was today held in the Hall of Congress. The leading paper was read by George W. White, of Boston, D. C., on "Shipping." It was decided to hold the next annual meeting in Minneapolis, Minn., but the date was not fixed.

RECEIPTS FOR THE FAIR NOW EXCEED EXPENSES

(Special to The Times-Dispatch.)
ST. LOUIS, MO., August 27.—The Louisiana Purchase Exposition Company is now making money. The receipts for the fair are now in excess of the expenses. The company is making money from a seemingly authoritative source.

According to the announcement the daily receipts of the Exposition are now \$30,000. The daily expenses of the fair are \$25,000 at present. This leaves a profit of \$5,000 a day.

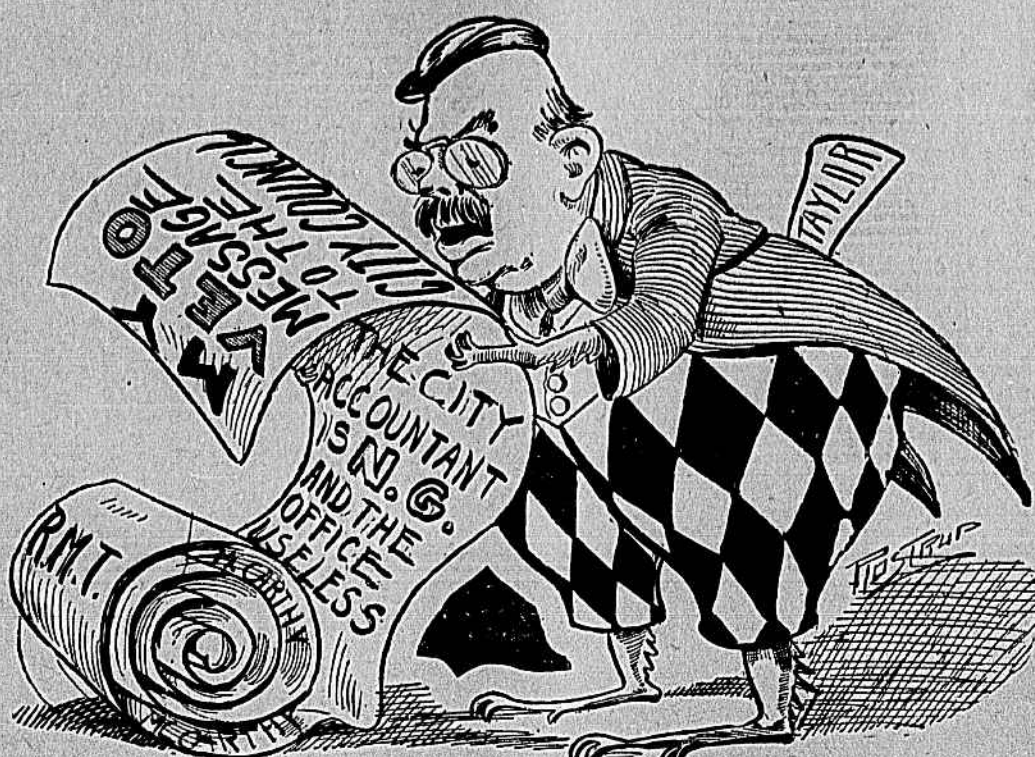
WILL STAND FOR NO ALABAMA LYNCHING

(By Associated Press.)
MONTGOMERY, ALA., August 27.—Acting Governor Cunningham today notified Sheriff Burgin, of Jefferson, to use every precaution to protect the negro who assaulted Mr. F. M. Hydrick today at Boyles Gap, and, if necessary, to call out the National Guard.

WOMEN WARN MEN TO STOP SWEARING

Recent Ordinance Against Profanity in Pennsylvania Being Enforced by the Women.

(Special to The Times-Dispatch.)
WILKESBARRE, PA., August 27.—Determined to put an end to swearing in the streets, the Young Women's Christian Association, at Berwick, near here, posted today the following ordinance in conspicuous places about the town and called on all good citizens to help them enforce it:
If any person shall willfully, premeditatedly and despectfully blaspheme or speak loosely and profanely of Almighty God, Christ Jesus, the Holy Spirit, or the Scripture of the Truth, such person, on conviction thereof, shall be sentenced to pay a fine not exceeding \$10 and undergo an imprisonment not exceeding three months, or either at the discretion of the court.
This anti-swearing ordinance recently adopted by the Town Council, the women say the men who line the streets in the evenings and on idle days swear so profanely and vigorously that they even punish the women for the ordinary remarks with cuss words.



WHAT THE WOGGLE BUG SAID!

THE OUTLOOK IS HOPEFUL

Senator Martin, Who Has Been in New York Some Time, Takes Cheerful View.

THIS NOT TALKING CAMPAIGN

Endorses Mr. Sheehan's View That Fight Will be Made by Work Rather Than Speech.

(From Our Regular Correspondent.)
WASHINGTON, D. C., August 27.—Senator Martin and Mrs. Martin, who have been here a day or two, returned home this morning. Mr. Leslie Martin, the Senator's brother and secretary, also returned home with them.

Senator Martin, who as member of the national executive committee, has spent much time at national headquarters in New York, is inclined to be very hopeful of the result of the campaign. He thinks the Democrats are in good form and that the organization throughout the country is being perfected rapidly.

"This is not a talking campaign," said the Senator, and he alluded to the remark made yesterday by W. P. Sullivan, chairman of the executive committee, that work and not talk was the order of the day. Of course, the Senator could not go into the details of what is being done and planned by the campaign managers of the Democratic party, but he declared that considerable and already been accomplished in the way of strengthening the organization, and he believes that much more work of this character will be done in the course of the next few weeks.

The New York papers recently quoted Senator Martin as being in favor of having Judge Parker go on the stump and make a more or less thorough canvass of the country. "I never declared in favor of anything of the kind," said the Senator, "my mind was not made up as to whether it would be for the best to have the candidate do anything of the kind."

To Make Speeches.

Senator Martin will make a number of speeches in Virginia this fall, though he will have to make his appointments so that they will not conflict with his work as a member of the national executive committee. He has been out in the State several times this summer, but has not made any speeches. He was kept busy all the time he was here attending to Virginia matters at the departments. Some work of this character he was expected to leave unfinished, and will have to return to Washington in a short time to attend to it.

Senator Martin is greatly interested in the outcome of the contest for Congress in the Ninth district. He has not been able to get into the Southwest during the campaign, but it is very probable that several of the speeches which he will deliver will be in the interest of Mr. Wyner.

Democrats think there will be two Republican candidates for Congress from the Third West Virginia district. The candidates, Representative Joseph H. Gaines and William Seymour Edwards, have referred the whole matter to the Republican national Congressional committee, and that tribunal is expected to decide the question very shortly of who

THE WARRING REPUBLICANS

Two Conventions Are to be Held in This District Next Month.

OUTS TO ASSEMBLE THE 12TH

Ins Will Get Together Three Days Earlier—Alleged District Committee Holds Meeting.

The expected meeting of the Republican District Committee at Ford's Law Building yesterday, in response to the call of District Chairman Miles M. Williams, resulted in another factional division. Mr. Williams and several men, presumed to be acting as members of the Republican District Committee, went through two

form of adopting a perarranged resolution directing Chairman Williams to call a convention to meet at Monroe Hall, in this city, at noon, Monday, September 12th, to nominate a candidate for Congress. This resolution was offered by Mr. Jeff H. Powell, of this city, who the Williams faction claim is secretary of the committee and member for Richmond city.

There were twenty-one persons present at the meeting presided over by Mr. Williams, among them being Mr. Edgar Allan, Jr., of this city; ex-Postmaster Otis H. Russell, Mr. Jefferson H. Powell and several out-of-town men. Mr. Williams, the chairman, in opening the meeting, declared that a majority of the members of the District Committee was present, but no roll call was had and no call made for proxies. It is a matter of fact that there was not a quorum of members of the District Committee present, according to the State Executive Committee's recent decision as to who actually constitute such a committee.

James H. Stephens, colored, was represented at the meeting by G. S. Stephens, colored, but the latter was not asked to present his credentials, and did not do so. A further resolution was adopted, the refixing the county and city chairmen to notify the district chairman of the date fixed for their respective meetings ten days before holding the same. The body was then declared adjourned.

Williams and Stephens.
After adjournment, and before the gathering had dispersed, George S. Stephens, proxy for James H. Hayes, called attention to the fact that there was no representative from Chesterfield present nor any from the other counties of the district.

"You are a liar!" was the reply of Chairman Williams, whereupon Stephens said, according to his statement: "You are a gentleman and you know what that means, but I beg your pardon. Show me the names of the committee."

Chairman Williams did not further notice Stephens, and he left the hall. After an informal conference or caucus the committee dispersed.

When Chairman Williams's meeting had adjourned, six men, members of the District Committee, held a meeting elsewhere and signed a call for a meeting of the full committee. This call is addressed to Chairman Williams, and notifies him that a meeting of the District Committee will be held in room No. 25, Chamber of Commerce building, at noon on Friday, September 9th, for the purpose of calling a convention to name a candidate for Congress. This call is signed by William Haw, of Hanover; Hansford Anderson,

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of King William; M. J. Enright, of Goochland; Isaiah Mann, of Chesterfield, all of whom were elected last February, and Thomas H. Smith, of Manchester, and S. C. Scott, colored, of Henrico, elected by the committee on July 27th to succeed L. B. Lloyd and J. D. Pearman, respectively, resigned. George S. Stephens, holding the proxy of James H. Hayes, of Richmond city, offered his proxy, but did not participate, proxies not being included.

Two Conventions.

As the situation now stands there are to be two conventions, and in all human probabilities two Republican nominees for Congress, a repetition of the farce of two years ago, when B. W. Edwards, of West Point, and W. E. Talley, of this city, were nominated by the same factions.

The plan of organization of the Republican party empowers the District Committee to call a congressional convention, and not the chairman alone. It further empowers the committee to fill vacancies caused by death, resignation or otherwise in the membership of the committee. Acting under that authority, Committee-men Haw, Enright, Mann, Anderson and L. M. Ellison, of New Kent, met and accepted the resignations of Committee-men Pearman of Henrico, and Lloyd, of Manchester, and chose S. C. Scott and T. H. Smith as their successors.

The State Executive Committee recognized this as the regular committee, and thereby validated all its acts save the deposing of District Chairman Williams, which it annulled. If these men constitute the committee it is not explained how Mr. Williams constituted a new committee of whom not one of those named is a member. So far as can be ascertained that appears to be just what has been done. Otherwise there could have been no meeting calling a convention.

No Quorum Present.

Mr. Williams called the committee to meet yesterday at noon at Ford's law building. There being no members present, and but one holding a proxy of a member or alleged member there was nothing in order, apparently, but to declare that there was not a quorum present. Instead, however, a committee seems to have been constituted, and this committee called a congressional convention for September 12th.

The factional fight in the Republican ranks in this city and the district seems no nearer termination than two years ago. The factions and conflicting claims are so numerous as to be past finding out. The State Executive Committee despairing of finding a satisfactory solution or of getting at the merits of the case, made a compromise sustaining Williams, but likewise sustaining the regularity of the committee which had no authority, and annulled the recent action of the Williams-Allan-Russell faction in naming Mr. Edgar Allan, Jr., as a congressional candidate for the reason that the convention was not called by the District Committee.

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Dean of Rochester Dies While Asleep.
(By Associated Press.)
LONDON, August 27.—The Very Rev. S. Reynolds Hole, Dean of Rochester since 1877, died today. He had been ill some time, and passed away from heart trouble while asleep. The dean was born in December, 1819.

BABCOCK UNEASY AS TO NEXT HOUSE
Chairman of Republican Congressional Committee Not Well Satisfied.

(From Our Regular Correspondent.)
WASHINGTON, D. C., August 27.—Representative Babcock, chairman of the Republican Congressional Committee, is deeply disappointed at the outlook for the Republicans this fall. He told a gentleman in New York yesterday that at least seventy-one congressional districts were doubtful this year, and that of this number the only ones now represented by Republicans were those of the Brown, unbelieved.

Mr. Babcock said further that he did not believe the Republicans could hope to carry more than five of the eleven districts in Wisconsin. He doubted whether he would be re-elected from the Third District. Democrats, before that awful split occurred in Wisconsin Republicanism insisted that there was doubt of the re-election of Babcock, though he received a majority of nearly nine thousand in 1902. Great opposition to Babcock has developed in the course of the past year. It was carried in a lengthy article in Leslie's Magazine last fall that Babcock was kept in the House as the representative of the brewing interests of the country. I have never heard or seen the charge denied.

The Blue and Brown.
The corps will be divided into two divisions, to be known as the Army of the Blue, and the Army of the Brown. The Blue will be under command of General Fred D. Grant, with headquarters at Manassas.

The Brown army is to be supposed to be moving on Washington from the Shenandoah Valley. The problems to be solved are apparently those which the men in blue and gray tried to solve at the first battle of Manassas July 21, 1861, and at the second battle, August 29, 1862. The following is the programme of the manoeuvres:

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CURRENT EVENTS AS THE CARTOONIST SEES THEM.

